IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Yoshio HARADA et al.

Group Art Unit: 1775

Appln. No. : 10/795,998

Examiner: Elizabeth D. IVEY

Filed : March 10, 2004

Conf. No: 2654

For : COATING MATERIAL FOR THERMAL BARRIER COATING HAVING EXCELLENT CORROSION RESISTANCE AND HEAT RESISTANCE AND METHOD OF PRODUCING THE SAME

ELECTION WITH TRAVERSE

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This paper is responsive to the Requirement for Restriction mailed from the Patent and Trademark Office March 20, 2006, in the above application. Inasmuch as this election is being submitted by the one-month shortened statutory period originally set in the Office Action to expire on April 20, 2006, no extension of time is believed necessary. However, if any extension of time is deemed to be necessary, the same is hereby requested and the Patent and Trademark Office is authorized to charge any extension of time fees and any other fees necessary for maintaining the pendency of this application to Deposit Account No. 19-0089.

Applicants elect, with traverse, the invention identified by the Examiner as Group I, drawn to a coating material, including claims 1-7 and 10-13.

Applicants respectfully traverse the Restriction Requirement. The Restriction Requirement has characterized the inventions of Groups I (claims 1-7 and 10-13) and II (claims 8-9) as "process of making and product made". The Restriction Requirement has stated that, "[t]he inventions are distinct if ... the product as claimed can be used in a materially different process." The Restriction Requirement then states that "the product [Group I] may be made by a materially different method such as chemical vapor deposition."

Even if the Examiner's characterization of Groups I and II as defining a product and process of making were to be considered proper, Applicants respectfully request that all of the inventions defined in claims 1-13, nevertheless, be examined in the instant application, pursuant to the guidelines set forth in M.P.E.P. § 803. That is, the Examiner is respectfully requested to reconsider the requirement and find that there would not appear to be a "serious burden" on the Patent and Trademark Office in examining claims directed to the non-elected inventions since the Examiner will have to search in the same areas (i.e., classes 427 and 428) for both Groups.

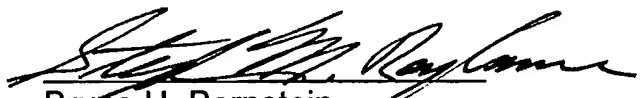
Thus, It would appear that the search for the inventions identified by the Examiner would be coextensive or at least significantly overlap. That is, if the Examiner were to perform a search for the invention of Group I, there would not

appear to be a serious burden to examine the invention of Group II. For this reason, and consistent with Office policy as set forth in M.P.E.P. § 803, Applicants respectfully request that the Examiner reconsider and withdraw the Requirement for Restriction.

For the foregoing reasons, it is submitted that the Requirement for Restriction is this application is improper and it is respectfully requested that it be reconsidered and withdrawn.

Should there be any questions, the Examiner is invited to contact the undersigned at the below listed telephone number.

Respectfully submitted,
Yoshio HARADA et al.



Bruce H. Bernstein
Reg. No. 29,027

Stephen M. Roylance
Reg. No. 31,296

April 20, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191